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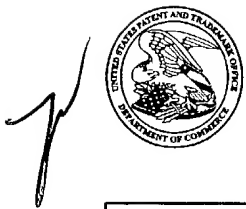
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,332	08/17/2001	Kevin Scott Goldsmith	TUC920010024US1	4192
24033	7590	06/03/2004	EXAMINER	
KONRAD RAYNES & VICTOR, LLP 315 S. BEVERLY DRIVE # 210 BEVERLY HILLS, CA 90212			DAS, CHAMELI	
			ART UNIT	PAPER NUMBER
			2122	

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/932,332	Applicant(s) GOLDSMITH ET AL.	
	Examiner C.DAS	Art Unit 2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/28/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED DESCRIPTION

1. Claims 1-54 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 4-6, 8-14, 16-21, 23-29, 31-37, 39-41, 43-49 and 51-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Cobb et al, (Cobb), US 5,119,377.

As per claims 1, 36, Cobb discloses:

- receiving a call for one service function from a service function call within one application program (col 2, lines 57-62, col 3-7)
- performing a series of test operations when executing the service function call... each identifier is associated with one error state (col 2, lines 48-68, col 3, lines 1-38, col 7, lines 1-5)
- if one test operation failed, transmitting the identifier... caused the test operation to fail (col 3, lines 1-60, col 6, lines 45-50, col 8, lines 38-57, col 8, lines 33-40 and Fig 7).

As per claims 2, 6, 21, 37, 41, Cobb discloses:

- identifier identifies ... unique location in the service program (col 6, lines 40-45, col 5, lines 30-36).

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As per claims 4, 39, Cobb discloses:

- error handling agent is separate from the service program receiving the call (col 3, lines 10-18, Fig 10).

As per claims 5, 40, Cobb discloses:

- receiving an identifier from the service program .. error state (col 2, lines 57-62, col 3-7, col 2, lines 48-68, col 3, lines 1-38, col 7, lines 1-5)
- if the received identifier indicates... error occurred ((col 3, lines 1-60, col 6, lines 45-50, col 8, lines 38-57, col 8, lines 33-40).

For claims 8, 23, 43, (col 7, lines 16-21).

For claims 9, 24, 44, (abstract, col 3, lines 32-36, col 4, lines 35-43).

For claims 10, 25, 45, (col 12-15, col 3, lines 31-36).

For claims 11, 26, 46, (col 3, lines 5-35, col 6, lines 40-45).

For claims 12, 27, 47, (col 4, lines 9-11).

For claims 13, 28, 48, (abstract, col 4, lines 20-32, col 7, lines 38-47, col 11, lines 12-15).

For claims 14, 29, 49, (col 4, lines 20-43, col 3, lines 5-18).

For claims 16, 17, 18, 31, 32, 33, 51, 52, 53, (Fig 10).

For claims 19, 54 (col 3, lines 1-30, Fig 10).

As per claim 20, Cobb discloses:

- computer readable medium (col 5, lines 58-60)
- an application program (col 5, lines 28-35)

- a service program (col 5, lines 21-35)
- at least one service function included in the service program (col 5, lines 21-35)
- an error handling agent (Fig 7)
- means, performed by the application program, for calling one service function in the service program (col 5, lines 5-35)
- means, performed by the service program in response to the call to the service function (col 5, lines 3-37)
- performing a series of test operations ... error state ((col 2, lines 48-68, col 3, lines 1-38, col 7, lines 1-5)
- transmitting the identifier .. error handling agent ((col 3, lines 1-60, col 6, lines 45-50, col 8, lines 38-57, col 8, lines 33-40 and Fig 7)
- receiving the identifier... function (col 2, lines 57-62, col 3-7, col 2, lines 48-68, col 3, lines 1-38, col 7, lines 1-5)
- generating and transmitting a return code ... service function (col 3, lines 1-60, col 6, lines 45-50, col 8, lines 38-57, col 8, lines 33-40).

For claim 34, (Fig 10).

For claim 35, (col 6, lines 40-45, col 5, lines 30-36).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 7, 22, 38, 42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Cobb, US 5,119,377 in view of the background section.

As per claim 3, 7, 22, 38 and 42, Cobb discloses transmitting the identifier indicating error to the error handling agent (col 3, lines 10-18). Cobb does not specifically disclose "no error" occurred to the agent. However, the background section of Cobb's reference discloses "no error" detection capability (col 1, lines 26-28). The modification would be obvious because one of the ordinary skill in the art would be motivated to debug the program efficiently.

6. **Claims 15, 30 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cobb, US 5,119,377 and further in view of Kidder, US 6,708,291.**

As per claims 15, 30 and 50, Cobb does not specifically disclose detecting change in a version number of the service program; accessing an updated directory reflecting changes ... service program; and replacing the directory with the updated directory ... error information. However, Kidder discloses detecting change in a version number of the service program (Kidder, col 10, lines 48-65, col 23 lines 20-45), accessing an updated directory reflecting changes ... service program (col 23, lines 25-45) and replacing the directory with the updated directory ... error information (col 21, lines 34-55, col 30, lines 8-10, col 30, lines 63-67 and col 31, lines 1-15). The modification would be obvious because one of the ordinary skill in the art would be motivated to identify the error and handle the error efficiently.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

TITLE: Managing hardware and software configuration information of systems being tested, US 6701519 B1

TITLE: Real-time test controller, US 6557115 B2

TITLE: System and method for handling a failure reporting conversation, US 6665824

TITLE: System, method, and article of manufacture for test maintenance in an automated scripting framework, US 6701514 B1

TITLE: Method and apparatus for testing a computer system through software fault injection, US 6701460 B1

TITLE: Diagnostic methodology for debugging integrated software, US 6163858 A

TITLE: System and methods for improved program testing, US 5475843 A

TITLE: Multiprocessing system having coherency-related error logging capabilities, US 5862316 A

TITLE: Monitoring error conditions in an integrated circuit, US 6598177 B1

TITLE: System and method for fault handling and recovery in a multi-processing system having hardware resources shared between multiple partitions, US 6594785 B1

TITLE: Fault monitor for restarting failed instances of the fault monitor, US 6718486 B1

TITLE: Method and system for testing hardware and/or software application, US 6279124 B1

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TITLE: Automated testing of software application interfaces, object methods and commands, US 5708774 A

TITLE: Method and apparatus for implementing user-definable error handling processes, US 6334193 B1

TITLE: System and method for dynamically detecting unchecked error condition values in computer programs, US 6378087 B1.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-305-1339. The examiner can normally be reached on Monday-Friday from 7:00 A.M. to 3:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Tuan Dam can be reached at 703-305-4552. The fax number for this group is: (703) 872-9306.

An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-9600.

Chameli C. Das
CHAMELI C. DAS
PRIMARY EXAMINER

5/28/04